

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

TROY LUKENS,

Plaintiff,

3:14-cv-00959-TC

v.

ORDER

RICK ANGELOZZI, et al.,

Defendants.

COFFIN, Magistrate Judge.

Plaintiff's Motion to issue summons (#13) is denied as moot. [defendants have filed waivers of service].

Plaintiff's Motion for Temporary Restraining Order (#9) is denied as moot. [Plaintiff is no longer incarcerated].

Plaintiff's motion to file an amended complaint (#8) was allowed by Judge Hernandez Order (#50). However, that order apparently applied to the proposed amended complaint attached to plaintiff's motion (ie. Document 8-1). Plaintiff filed a Second Motion to file an Amended Complaint (#12). The proposed complaint attached to that motion differs slightly

from the Amended Complaint (#8-1). Accordingly, plaintiff's Second Motion to File an Amended Complaint (#12) is allowed. The Amended Complaint (#12-1) is the operative pleading before the court. No further amendments will be allowed.

Defendant Multnomah County Sheriff's Motion to Dismiss (#49) is denied without prejudice to re-file as it may apply to plaintiff (second) amended complaint (#12-1).

Defendants' Motion to Dismiss (#57) is denied without prejudice to re-file to the extent it may apply to plaintiff's (second) Amended Complaint (#12-1).

DATED this 22 day of January, 2015.



Thomas M. Coffin
United States Magistrate Judge